

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

LAMERLE SUNDAY HUGHES,)
)
Plaintiff,)
) 1:08-cv-101- SEB-JMS
vs.)
)
CUNA MUTUAL GROUP, et. al,)
)
Defendants.)

**ENTRY OVERRULING DEFENDANTS' OBJECTION TO
MAGISTRATE JUDGE'S DISCOVERY ORDER**

(Docket No. 63)

The Court has considered Defendants' Objection to the May 7, 2009, Order Compelling Discovery Pursuant to Fed. R. Civ. P. 72(A), filed at Docket No. 63, and being duly advised in the premises, now **OVERRULES** that objection.

In accordance with 28 U.S.C. § 636(b)(1)(A) and Fed. R. Civ. P. 72(A), the Court reviews the Magistrate Judge's ruling to determine whether it was clearly erroneous or contrary to law. In the situation before us, the Magistrate Judge ruled on the underlying Motion to Compel, filed at Docket No. 51, after it was fully briefed by the parties and following a hearing at which both sides presented oral argument. The Magistrate Judge's nine-page decision is well considered, analyzes and applies the relevant case law, and sets forth in detail the reasons for her ruling. The Court finds that the Magistrate Judge's ruling is neither clearly erroneous nor contrary to law and, in fact, is consistent with Seventh Circuit Judge David F. Hamilton's March 16, 2010, ruling in Geesling v. Group Long Term Disability Plan for Employees of Sprint/United Management Company, ___ F.

Supp. 2d ___, 2010 WL 933983 (S.D. Ind.), and the cases cited on page 12 of that decision.¹

Accordingly, the Magistrate Judge's May 7, 2009, Order is affirmed, and Defendants' objection to it is overruled.

IT IS SO ORDERED.

Date: 03/30/2010

Sarah Evans Barker

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

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¹ Circuit Judge Hamilton, ruled in Geesling, a cause pending in this District, sitting by designation. Geesling, 2010 WL 933983, *1 at ft. n. 1.